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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
HON'BLE SHRI S.K. AGNIHOTRI, J.

M.C.C. No. 140 OF 2006

APPLICANT DEFENDANT NO.3		The New India Insurance Company Ltd., Branch Office, Rajendranagar Chowk, through its Divisional Manager, Divisional Office, Bilaspur (C.G.)
		Versus
RESPONDENT CLAIMANT NO.1	1.	Shri Keshav @ Kesho, S/o Kali Ram Banjara, aged about 43 years.
RESPONDENT CLAIMANT NO.2	2.	Smt. Lalita Bai, W/o Shri Kesho Banjara, aged about 40 years
RESPONDENT CLAIMANT NO.3	3.	Ku. Bhagvati, D/o Shri Kesho Banjara, aged about 21 years Respondents No. 1 to 3 are resident of Village- Barbaspur, Police Station and Tahsil – Lormi, District – Bilaspur (C.G.)
RESPONDENT DEFENDANT NO.1	4.	Shri Pavitrasen, S/o Shri Narendrapal Dahire, aged about 27 years, Vehicle Driver, Daheria Bus Service, Bus No. C.G.07-C/0243, R/o Bicharpur, Police Station and Tahsil – Lormi, District Bilaspur (C.G.)
RESPONDENT DEFENDANT NO.2	5.	Shri Prasen Kumar, S/o Shri Ramcharan Dahire, aged about 40 years, Vehicle Owner, Dahira Bus Service, Bus No. C.G. -07-C/0243, R/o Village – Sureghat, Police Station and Tahsil – Mungeli, District Bilaspur (C.G.)

Present : Shri Prashant Jayaswal, learned Sr. Advocate with Shri Vinay Pandey, learned counsel for the applicant.

ORAL ORDER
(Passed on 12-12-2006)

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The following oral order of the Court was passed by

S.R. Nayak, CJ.

Heard.

(2) We clarify that the liberty reserved by the MACT to the appellant - Insurance Company to recover the compensation from the owner and driver of the motor vehicle involved in the accident is not disturbed. The MCC stands disposed of accordingly.

Sd/-
Chief Justice

Sd/-
Satish K. Agnihotri
Judge

Kamde